

ESTTA Tracking number: **ESTTA668730**

Filing date: **04/24/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Application Serial No.	79143258
Applicant	BÄ¶rner Distribution; International GmbH

Notice of Appeal

Notice is hereby given that BÄ¶rner Distribution; International GmbH appeals to the Trademark Trial and Appeal Board the refusal to register the mark depicted in Application Serial No. 79143258.

Applicant has filed a request for reconsideration of the refusal to register, and requests suspension of the appeal pending consideration of the request by the Examining Attorney.

The refusal to register has been appealed as to the following classes of goods/services:

- Class 005. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Pharmaceutical and veterinary preparations; foodstuffs and dietetic substances for medical or veterinary purposes; foodfor babies; dietary supplements for humans and animals; medical preparations for slimming purposes; appetite suppressants for medical purposes; dietetic beverages adapted for medical purposes; dietetic foods adapted for medical purposes; beverages adapted for medical purposes; medicinal drinks; medicinal additives
- Class 032. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Beers; mineral and aerated waters and other non-alcoholic beverages; fruit beverages and fruit juices; syrups and otherpreparations for making beverages; energy drinks (not for medical purposes); beverages enriched with additional minerals (not being for medical use); beveragesenriched with added trace elements (notfor medical purposes); beverages enriched with added vitamins (not for medical purposes); isotonic beverages not for medical purposes; non-alcoholic malt-free beverages (other than for medical purposes)
- Class 033. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Alcoholic beverages (except beers)
- Class 035. First Use: 0 First Use In Commerce: 0
All goods and services in the class are appealed, namely: Advertising; business management; business administration; business consultancyin relation to distribution; wholesaling and retailing in the fields of chemicals and medical products, cosmetics, household apparatus and household goods, printed matter, foodstuffs and beverages, in particular by means of teleshopping programmes and/or including via the internet; arranging of trading and economical contacts, also over the internet

Respectfully submitted,

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04/24/2015

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